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EXAMINER

SAID, MANSOUR M

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

03/30/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/516,887

Applicant(s)

SUURPAA ET AL.

Examiner

MANSOUR M. SAID

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date 11/14/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/09 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, on Figure 1 “the processor” must be shown or the feature(s) canceled from the claim(s). **No new matter should be entered.**

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains new subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter of figure 2 is not originally filed. For example, the claimed limitations "said cover configured to provide said processor in the cover ... said electrical signal generated by said contact sensitive component to at least realize a specific function", is not considered by the Examiner, since such claimed limitations or the amended Figure 2 was not included in the original file.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7, 10-15, 18-25 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Imai (6,259, 045 B 1) in view of Rogers (7,345,592 B2).

As to claim 1, as best understood, Imai teaches Cover for an electronic device comprising a decoration (case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device (figures 1-7 and column 3, lines 1-31); contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that generates an electrical signal when a part ((hole, (figures 2-3, (21)) of said decoration case, figure 2, (20)) associated to said contact sensitive component (electrodes, (figures 2-7, (15 and 41)), is touched (column 1, lines 45-61, column 3, lines 23-30); and a connection component to electrically connecting said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claims 2 and 20, Imai teaches wherein said contact sensitive component comprise a pressure sensitive film (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 4, lines 1-12 and column 6, lines 16-25).

As to claims 3 and 21, Imai teaches wherein said pressure sensitive film is an electromechanical film (figures 2-7, column 1, lines 45-61, column 3, lines 60-67, column 4, lines 62-67 and column 6, lines 20-40).

As to claims 4 and 22, Imai teaches wherein said pressure sensitive film comprises at least one force sensitive resistor (figures 2-7, and column 1, lines 45-61).

As to claims 5 and 23, Imai teaches wherein said contact sensitive component comprise at least one capacitive sensor (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 3, lines 50-55 and column 4, lines 5-12).

As to claims 6, 14 and 24, Imai teaches wherein different parts (holes, (figures 2-3, (20)) of said decoration associated to said contact sensitive component result in a generation of different signals by said contact sensitive component when touched (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claims 7, 15 and 25, Imai teaches wherein one or more selected parts (holes, (figures 2-3, (20)) of said decoration (case, figure 2, (20)) are associated to one or more functions enabled by a processor to which said contact sensitive component can be connected via said connection component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claims 10 and 18, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7,

column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

As to claims 11 and 19, wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 12, as best understood, Imai teaches an electronic device comprising a cover (figures 2-3), which cover comprises, a decoration case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device (figures 1-7 and column 3, lines 1-31); a contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that it generates an electrical signal when a part of said decoration associated to said contact sensitive component is touched (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67); and; a connection component configured to electrically connect said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claim 13, Imai teaches a data connection to said cover and a processing component configured to processing data received by said contact sensitive component of said cover (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 19, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 28, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

As to claim 29, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 30, as best understood, Imai teaches a cover (figures 2-3) comprising: means for presenting a decoration (case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device; means for generating an electrical signal when a part of said decoration is touched (figures 1-7 and column 3, lines 1-31); and means for electrically

Response to Arguments

7. Applicant's arguments filed on 1/16/2009 have been fully considered but they are not persuasive. The subject matter of figure 2 is not originally filed. For example, the claimed limitations "said cover configured to provide said processor in the cover ... said electrical signal generated by said contact sensitive component to at least realize a specific function" is not

considered by the Examiner, since such claimed limitations is not supported by the original file. Further, Examiner reminds the Applicant that any new matter would not be considered, unless it is originally filed.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mansour M. Said whose telephone number is 571-272-7679. The examiner can normally be reached on Monday through Thursday from 8:30-6:00 P.M. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe whose telephone number is 571-272-7681.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: 571-273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window at the Randolph Building, 401, Dulany Street, Alexandria, VA 22314.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MANSOUR M SAID/

Examiner, Art Unit 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629